REMARKS

With the entry of this Amendment, claims 1, 3, 4 and 6 will be pending in this patent application.

In this Amendment, claim 1 is amended, claims 2 and 5 are canceled, and new claim 6 is added. Support for the subject matter recited in claim 6 can be found, for example, on page 9, line 21, of the specification in this application as filed.

DOUBLE PATENTING REJECTION I

Claims 1 and 4 were provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1 and 5 of copending application No. 10/671772.

Applicant respectfully requests that this rejection be held in abeyance pending the allowance of claims in one of the co-pending applications.

DOUBLE PATENTING REJECTION II

Claims 1 and 2 were provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claim 4 of copending application No. 10/834014.

Applicant respectfully requests that this rejection be held in abeyance pending the allowance of claims in one of the co-pending applications.

PRIOR ART REJECTION I

Claims 1, 2 and 5 were rejected under 35 USC § 102(b) as being anticipated by US 5816937 (Shimosaka et al.). Applicant respectfully traverses this rejection insofar as it might be deemed applicable to either of claims 1 and 6 as now presented.

The invention disclosed and claimed in this patent application is directed to a method that reliably produces a golf ball with cover that has uniformly small thickness and excellent resistance to abrasion. As demonstrated by the results of tests reported in Table 1 in the

specification of this application, golf balls produced by the method disclosed and claimed by Applicant exhibit superior properties compared to golf balls produced by prior art methods.

Without acquiescing in the rejection, Applicant has canceled claims 2 and 5 and has amended claim 1 to incorporate the subject matter that had been recited in the canceled claims. New claim 6, dependent from claim 1, further recites the cover as being made from thermoplastic polyurethane elastomer.

As now presented, claim 1, specifies that the molded cover of the golf ball has a thickness of 0.3-1.0 mm and also specifies that the temperature T1 of the mold is related to the temperature T2 at which the half shells start to flow, whereby the range of T1 is no less than T2-3° C and no more than T2+10° C.

According to the disclosure in Shimosaka et al. identified by the Examiner, compression molding of the cover outermost layer of the golf ball is carried out at a temperature of 90-150° C. There is no disclosure, or even the slightest suggestion, of a defined relationship between the mold temperature and the start-of-flow temperature of the half shells, much less the particular relationship recited in Applicant's claim 1. A fair reading of the disclosure in Shimosaka et al. does not support a conclusion that the requirements of Applicant's claim 1 are met by Shimosaka et al.

In view of the foregoing observations, Applicant submits that the disclosure in Shimosaka et al. cannot properly serve as a basis for rejecting either of claims 1 and 6 under 35 USC § 102(b).

PRIOR ART REJECTION II

Claims 3 and 4 were rejected under 35 USC § 103(a) as being unpatentable over Shimosaka et al. Applicant respectfully traverses this rejection insofar as it might be deemed applicable too any of claims 3, 4 and 6 as now presented.

In making this rejection, the Examiner acknowledges that Shimosaka et al. does not have concrete disclosure that can meet the limitations recited in Applicant's claims 3 and 4. In view of this deficiency in the Shimosaka et al. disclosure vis-à-vis the requirements of the claims, the Examiner asserts that the differences between the claimed subject matter and the Shimosaka et al. disclosure are well-known in the "compression art," the "golf ball art" and the

"molding art." Applicant does not accept this assertion by the Examiner and, under the guidelines stated in MPEP § 2144.03C, challenges the Examiner to identify evidence showing that that this well-known knowledge exists.

The well-known knowledge upon which the Examiner relies provides no remedy for the deficiencies in the Shimosaka et al. disclosure vis-à-vis the requirements of independent claim 1, as pointed out above. Consequently, even if this well-known knowledge were attributed to the Shimosaka et al. disclosure, the resulting process could not meet the requirements of Applicant's claims.

In view of the foregoing observations, Applicant submits that the disclosure in Shimosaka et al. cannot properly serve as a basis for rejecting claims 3, 4 and 6 under 35 USC § 103(a).

OTHER PRIOR ART

Applicant has considered the other prior art cited by the Examiner. Applicant is not commenting on this prior art, because it was not applied against the claims in this application.

CONCLUSION

In view of the amendments, observations and arguments presented herein, Applicant respectfully requests that the Examiner reconsider and withdraw the rejections stated in the outstanding Office Action and recognize all of the pending claims as allowable.

If unresolved matters remain in this application, the Examiner is invited to contact Frederick R. Handren, Reg. No. 32,874, at the telephone number provided below, so that these matters can be resolved expeditiously.

Dated: June 26, 2006

Respectfully submitted,

By Frederick R. Handren #32,874
for Andrew D. Meikle
Registration No.: 32,868
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant